

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES

NO. 2:20-cr-00045-GAM

JUDGE MCHUGH

v.

ABDUR RAHIM ISLAM
SHAHIED DAWAN
KENYATTA JOHNSON
DAWN CHAVOUS

Defendants

[PROPOSED] ORDER

AND NOW, this ____ day of _____, 2022, upon consideration of Defendant Kenyatta Johnson's Motion to File Under Seal His Response in Opposition to Government's Motion to Seal, it is hereby **ORDERED** that the Motion is **GRANTED**. Defendant Kenyatta Johnson's Response in Opposition to Government's Motion to Seal **SHALL BE FILED UNDER SEAL**.

BY THE COURT:

Honorable Gerald Austin McHugh
U.S. District Court Judge

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ABDUR RAHIM ISLAM
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Defendants

**DEFENDANT KENYATTA JOHNSON’S MOTION TO FILE UNDER SEAL
HIS RESPONSE IN OPPOSITION TO GOVERNMENT’S MOTION TO SEAL**

Defendant Kenyatta Johnson (“Councilmember Johnson”), by and through his undersigned counsel, hereby moves to file under seal his concurrently submitted Response in Opposition to Government’s Motion to Seal, attached hereto as Attachment 1. In support of this motion, Councilmember Johnson respectfully states as follows:

1. On January 28, 2020, the Government filed a twenty-two-count racketeering Indictment against Defendants Abdur Rahim Islam, Shahied Dawan, Dawn Chavous, and Councilmember Johnson (ECF No. 1). Only two of the twenty-two counts in the Indictment pertain to Councilmember Johnson and/or his spouse, Ms. Chavous. Those are counts Nine and Ten, which charge all four Defendants with honest services wire fraud under 18 U.S.C. §§ 1343 and 1346.

2. On February 7, 2020 the Count issued a Protective Order limiting disclosure of materials produced by the Government in discovery (ECF No. 26).

3. On January 4, 2022, Councilmember Johnson filed, under seal, his Motion to Exclude Evidence Relating to Purported Violation of Ethics Laws (the “Ethics Motion”) and its

accompanying exhibits. *See* ECF No. 138. The Ethics Motion attaches, quotes, and otherwise references certain material protected from disclosure by the Protective Order and/or the Local Criminal Rules of the United States District Court for the Eastern District of Pennsylvania (the “Local Rules”).

4. On January 4, the Government filed—under seal—a motion to seal a subsequent Government filing (the “Government Motion to Seal”) (ECF Nos. 136, 137).

5. On January 12, the Government moved to unseal, *inter alia*, the Ethics Motion and certain sealed motions *in limine* filed by Ms. Chavous (the “Motion to Unseal”) (ECF No. 151).

6. Pursuant to an Order issued by this Court on January 13, 2022, the Motion to Unseal has been sealed. *See* ECF No. 154.

7. Councilmember Johnson has prepared a response in opposition to the Motion to Unseal (the “Opposition”).

8. The Opposition discusses various issues raised in the Ethics Motion, the Government Motion to Seal, and the Motion to Unseal. Councilmember Johnson believes that portions of that discussion relate to and could reveal matters protected from disclosure by the Protective Order, the Local Rules, and/or the Court’s January 13, 2022 sealing Order.

WHEREFORE, Councilmember Johnson respectfully requests that the Court enter an Order in the form submitted herewith directing that Defendant Kenyatta Johnson’s Response in Opposition to Government’s Motion to Seal be filed under seal.

Dated: January 20, 2022

Respectfully submitted,

/s/ Patrick J. Egan

Patrick J. Egan

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Attorneys for Defendant Kenyatta Johnson

CERTIFICATE OF SERVICE

I, Patrick Egan, hereby certify that on this day, I caused the foregoing to be filed electronically with the Case Management/Electronic Case Filing System (“CM/ECF”) for the Federal Judiciary. Notice of this filing will be sent to all parties by operation of the Notice of Electronic Filing system, and the parties to this action may access this filing through CM/ECF.

Dated: January 20, 2022

/s/ Patrick J. Egan

Patrick J. Egan